

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIM NO. 4:16-cr-00140-MAC-KPJ-(1)
	§	
RANDALL WILLIAM WADE	§	

DEFENDANT'S FIRST AMENDED MOTION FOR MAGISTRATE'S
RECONSIDERATION OF COURT'S ORDER OF DETENTION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Defendant, RANDALL WILLIAM WADE, by and through the undersigned counsel, and respectfully requests the Magistrate Court for reconsideration of the Court's Order of Detention as to Dr. Randall William Wade, and in support thereof would show:

I.

Counsel for Defendant has received a letter from Dr. John Hollowell, who is Dr. Wade's personal physician. It was attached to original Motion for Reconsideration filed on October 21, 2016. The letter details the medical issues that Dr. Wade faces on a daily basis. Also, the letter extolls the nature of his character as a physician.

II.

Dr. Wade moves this Court to reconsider the Order of Detention in this matter pursuant to 18 U.S.C. 3145(b). Dr. Wade has been a fixture in the North Texas community for over thirty years and is a practicing physician. The allegations against Dr. Wade do not concern any violence or threats against any persons. Dr. Wade has significant medical issues, which will be

better attended to outside of incarceration and at no cost to the Bureau of Prisons. Dr. Wade has an insignificant criminal record, one Driving While Intoxication charge and a Deadly Conduct charge for threatening someone trespassing on his land.

Dr. Wade is married and lives with his wife and thirteen year old son. Dr. Wade owns land in the area and is tethered to North Texas. He is no threat to abscond, as he does not have a passport and has no money, due to seizure to effectuate flight.

There are many available restrictions available to the Court to ensure the Dr. Wade is not a flight risk and will appear for Court. The Defendant will agree to abide by any and all restrictions and agrees to conform his behavior accordingly. Dr. Wade will wear an electronic monitor, place property up as collateral for a bond, and agrees to abide by any restrictions put on his medical license.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully prays that the Order of Detention be reconsidered and the Government's Motion for Detention be denied and Dr. Wade be granted a hearing on the Motion, in front of the Magistrate, as soon as practicable.

Respectfully submitted,

/s/Brady T. Wyatt, III
BRADY T. WYATT, III
State Bar No. 24008313 3300
Oak Lawn, Suite 600
Dallas, Texas 75219
(214) 559-9115
(214) 528-6601 - Fax
attywyatt@hotmail.com

ATTORNEY FOR DEFENDANT

CERTIFICATE OF CONFERENCE

I, Brady T. Wyatt, III, hereby certify that I conferred with Ms. Heather Rattan, Assistant United States Attorney, on the 27th day of October, 2016, in connection with above Defendant's First Amended Motion for Magistrate's Reconsideration of Court's Order of Detention, and she advised that she does oppose the granting of the foregoing motion.

/s/Brady T. Wyatt, III
BRADY T. WYATT, III

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of October, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Ms. Heather Rattan
Assistant United States Attorney
United States Attorney's Office
101 East Park Boulevard, Suite 500
Plano, Texas 75074
heather.rattan@usdoj.gov

/s/Brady T. Wyatt, III
BRADY T. WYATT, III